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UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT

11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 SALVADOR PLASENCIA,
16 aka "Dr. P,"

17 Defendant.

No. CR 24-236-SPG(A)-2

GOVERNMENT'S OBJECTIONS TO THE
PRESENTENCE REPORT

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19
20 Plaintiff United States of America, by and through its counsel
21 of record, the First Assistant United States Attorney for the Central
22 District of California and Assistant United States Attorneys
23 Haoxiaohan Cai and Ian V. Yanniello, hereby objects to the
24 Presentence Report (PSR) by the United States Pretrial and Probation
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Office (USPPO) as to defendant SALVADOR PLASENCIA, Dkt. 89, filed on
October 22, 2025.

Dated: November 5, 2025

Respectfully submitted,

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/s/

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MEMORANDUM OF POINTS AND AUTHORITIES

I. OBJECTIONS TO THE PRESENTENCE REPORT

The government agrees with the PSR's ultimate Guidelines calculation: defendant's total offense level is 13 (after a three-level reduction for acceptance of responsibility) and defendant's criminal history places him in Criminal History Category I. However, the government respectfully submits that two additional special offense characteristics apply to the Group 1 counts, namely, a two-level vulnerable victim enhancement under U.S.S.G. § 3A1.1(b)(1) and a two-level aggravating role enhancement under U.S.S.G. § 3B1.1. Thus, the government's calculation for Group 1 offenses is as follows:

Group 1: Distribution of Ketamine		
Base Offense Level (189 Units of Ketamine)	6	U.S.S.G. § 2D1.1(a)(6), 2D1.1(c)(17)
Vulnerable Victim	+2	U.S.S.G. § 3A1.1(b)(1)
Aggravating Role	+2	U.S.S.G. § 3B1.1
Abuse of Position of Trust	+2	U.S.S.G. § 3B1.3
Obstruction of Justice	+2	U.S.S.G. § 3C1.1
Group 1 Offense Level	14	

Notwithstanding the additional four levels the government believes should apply to Group 1, the combined adjusted offense level as calculated in the PSR nonetheless remains 16. However, as discussed below, the application of these enhancements makes defendant ineligible for safety valve relief and the zero point offender reduction.

1 **A. Defendant Was a Leader and Organizer of the Conspiracy**

2 Contrary to the PSR's findings (PSR ¶ 50), defendant should have
3 been assessed an additional two-level enhancement under U.S.S.G.
4 § 3B1.1(c) because he was an organizer, leader, manager and
5 supervisor who directed the activities of co-conspirator Mark Chavez
6 and coordinated the criminal activity with co-conspirator Kenneth
7 Iwamasa,¹ so that they could illegally distribute ketamine to Victim
8 M.P. Specifically, the factors pertinent to aggravating role ---
9 including defendant's exercise of decision-making authority, his
10 recruitment of accomplices (i.e., co-conspirator Chavez), his claimed
11 right to a larger share of the proceeds of the crime, and his degree
12 of control and authority exercised over others --- all compel the
13 application of this enhancement. See U.S.S.G. § 3B1.1(c)
14 (Application Note 4.)

15 **Defendant Recruited, Organized, and Directed Chavez**

16 As recounted in their plea agreements, defendant was the one who
17 recruited Chavez to provide ketamine for the conspiracy. Dkt. 76, at
18 8; see also United States v. Chavez, 24-CR-492-SPG, Dkt. 3, at 11
19 (stating that defendant called Chavez for help getting ketamine for a
20 well-known actor who was "willing to pay a premium"). Defendant's
21 recruitment of a co-conspirator to the scheme is alone sufficient to
22 trigger the aggravating role enhancement. See, e.g., United States
23 v. Dota, 33 F.3d 1179, 1189 (9th Cir. 1994) (defendant who recruited
24 and supervised just one other person was properly assessed leadership
25 role).

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27
28 ¹ Co-conspirators Chavez and Iwamasa have pleaded guilty in
separate criminal cases, 24-CR-492-SPG, and 24-CR-408-SPG,
respectively.

1 Defendant also exercised control and authority over Chavez.
2 Defendant was the one who determined how much Chavez would be paid
3 for the ketamine, and directed when and where Chavez would meet
4 defendant to transfer the ketamine that defendant later distributed
5 to Victim M.P. Dkt. 76 at 12 (Defendant texting Chavez: "If I can get
6 you 2k would you meet me half way?").

7 Defendant's organizer and leadership role over Chavez is even
8 more apparent when viewed in light of the profits defendant made from
9 the scheme. While defendant received over \$55,000 for selling
10 ketamine to Iwamasa and Victim M.P., defendant only remitted a small
11 portion of those proceeds, approximately a few thousand dollars, to
12 Chavez. Compare Iwamasa, 24-CR-408-SPG, Dkt. 7, at 15 (describing
13 defendant being paid more than \$55,000 for ketamine), with Dkt. 76,
14 at 12 (describing how defendant offered Chavez only \$2,000). This
15 disparity is much larger than the disparity the Ninth Circuit found
16 to have justified a leader-organizer role in United States v. Govan,
17 152 F.3d 1088, 1096 (9th Cir. 1998) (applying enhancement where
18 defendant retained approximately 60% of the purloined funds).

19 **Defendant's Training to Iwamasa Further Shows His Leadership**
20 **Role**

21 Although the Court can apply the enhancement based on
22 defendant's leadership role over Chavez alone, the Court may also
23 base its finding on defendant providing Iwamasa training and
24 equipment to administer ketamine to Victim M.P., despite defendant
25 knowing the dangers of doing so.

26 As the facts that defendant and Iwamasa both admitted to in their
27 respective plea agreements make clear, defendant knew that Iwamasa
28 had no medical training or experience but nonetheless provided

1 syringes and training to Iwamasa so that Iwamasa could administer
 2 ketamine to Victim M.P. without medical personnel present. Defendant
 3 did so even though he was fully aware that ketamine injections
 4 "should be monitored by [a] physician when undergoing treatment as a
 5 safety measure." Dkt. 76 at 7. Nonetheless, defendant provided
 6 ketamine, syringes, and "gave instructions to [Iwamasa] about how to
 7 administer ketamine through an intramuscular injection, including
 8 where to make injections on Victim M.P.'s body." Iwamasa, 24-CR-408-
 9 SPG, Dkt. 7, at 10. Defendant's supervision was ongoing: after being
 10 informed by co-conspirator Iwamasa that he successfully injected
 11 Victim M.P. according to defendant's instructions, defendant said: "I
 12 have ideas on how to get consistent results." Id. at 12. Defendant
 13 training Iwamasa and transferring his medical expertise is another
 14 justification for the leader-organizer enhancement. See, e.g.,
 15 United States v. Herrera, 974 F.3d 1040, 1047 (9th Cir. 2020).

16 **B. Defendant Took Advantage of a Vulnerable Victim**

17 Contrary to the PSR's findings, the vulnerable victim guidelines
 18 should apply. (PSR ¶ 49.) That is because defendant fed into Victim
 19 M.P.'s addiction, mental health issues, and ruthlessly exploited it
 20 for his greed --- even when defendant knew that Victim M.P. was
 21 spiraling out of control.²

22 Section 3A.1.1(b)(1) allows a two-level increase "if the
 23 defendant knew or should have known that a victim was a vulnerable
 24 victim." U.S.S.G. § 3A1.1(b)(1). A vulnerable victim is one who
 25 is "unusually vulnerable due to age, physical or mental condition, or
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27
 28 ² Several other sections of the PSR, which states that there is
 no "identifiable victim," should be corrected to identify Victim M.P.
 (See PSR ¶¶ 143, 143.)

1 who is otherwise particularly susceptible to the criminal conduct.”
2 U.S.S.G. § 3A1.1 (Application Note 2). Although drug addiction is
3 not, standing alone, sufficient to base the enhancement, addiction in
4 conjunction with other factors --- like the defendant’s targeted
5 exploitation of the victim’s addiction, or additional mental health
6 issues of the victim --- warrants the enhancement. See, e.g., United
7 States v. Guidry, 817 F.3d 997, 1009 (7th Cir. 2016) (applying
8 enhancement where defendant used his knowledge that the victim was
9 addicted to heroin and suffered withdrawals and preyed on her
10 addiction for his own gratification); see also United States v.
11 Amedeo, 370 F.3d 1305, 1317 (11th Cir. 1991).

12 Here, defendant was abundantly aware of Victim M.P.’s struggles
13 with addiction --- that was precisely the reason defendant targeted
14 him. In 2023, Victim M.P. wrote a memoir on his struggles with
15 addiction and sobriety, which also addressed his decades’ long
16 battle with depression.³ In addition to the information being well-
17 known publicly, during the conspiracy defendant spoke with another
18 patient directly about Victim M.P.’s struggles, noting that defendant
19 believed Victim M.P. was spiraling out of control. Despite that
20 fact, defendant nonetheless offered to continue selling ketamine to
21 Victim M.P. Defendant’s own words show he sought to exploit this
22 vulnerability for profit, telling Chavez, “I wonder how much this
23 moron will pay” and “Let’s find out.” Dkt. 30 at 6.

24 Defendant’s awareness of Victim M.P.’s addiction was also clear
25 from their encounters. For example, at one point during the
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28 ³ “The One Where Matthew Perry Writes an Addiction Memoir,” see
[https://www.nytimes.com/2022/10/23/arts/television/matthew-perry-friends-lovers-and-the-The big-terrible-thing.html](https://www.nytimes.com/2022/10/23/arts/television/matthew-perry-friends-lovers-and-the-The-big-terrible-thing.html)

1 conspiracy, defendant went so far as to inject Victim M.P. in the
2 back of a car parked in a public parking lot at an aquarium ---
3 behavior so outside the bounds that even defendant Chavez censured
4 him for "dosing people" in public. Id. at 16. Defendant also
5 injected Victim M.P. another time, causing Victim M.P.'s body to
6 "freeze up," and defendant to say: "let's not do that again."
7 Iwamasa, 24-CR-408-SPG, Dkt. 7 at 14. But abandoning his Hippocratic
8 oath in favor of dollar signs, defendant still offered to sell more
9 ketamine to Victim M.P. Specifically, approximately two weeks after
10 injecting ketamine into M.P. and observing the adverse reaction,
11 defendant told co-conspirator Iwamasa he had been "stocking up"
12 ketamine and could resume selling if Victim M.P. wanted to purchase
13 more. Id. at 15. In fact, defendant had been calculating all along
14 how he could monetize Victim M.P.'s addiction, urging co-conspirator
15 Chavez to find a steady supply of ketamine because defendant thought
16 "it would be best served not having [Victim M.P.] look elsewhere and
17 [b]e his go to." Chavez, 24-CR-492-SPG, Dkt. 3, at 14.

18 **II. DEFENDANT IS INELIGIBLE FOR SAFETY VALVE RELIEF**

19 Because defendant is a leader and organizer, he is not entitled
20 to safety valve. As a result, the government respectfully objects to
21 Paragraph 48 of the PSR that finds that defendant meets requirement 4
22 of U.S.S.G. § 2D1.1(b)(18). Defendant also has not yet truthfully
23 provide to the government all information and evidence he has
24 concerning the offense, and thus requirement 5 of the safety valve
25 criteria is also not met. (PSR ¶ 48.)

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1 **III. THE PSR CORRECTLY DETERMINES THAT DEFENDANT IS NOT ENTITLED TO**
2 **THE ZERO POINT OFFENDER REDUCTION**

3 As the PSR correctly notes, defendant is not entitled to a two-
4 point reduction under the zero point offender guidelines. As
5 discussed above, the defendant was both an organizer and leader of
6 the criminal conduct and exploited a vulnerable victim --- both of
7 which independently disqualify defendant from receiving the zero
8 point offender reduction.